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Human rights situations that require the Council's attention

**Joint written statement* submitted by
International Organization for the Elimination
of All Forms of Racial Discrimination,
Association Ma'onah for Human Rights and
Immigration, International-Lawyers.Org,
Union of Arab Jurists, United Towns Agency
for North-South Cooperation, non-
governmental organizations in special
consultative status, International Educational
Development, Inc., World Peace Council, non-
governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2021]

Human Rights Situation in South Sudan

* Issued as received, in the language(s) of submission only.



Introduction

This written statement is on the human rights situation in South Sudan submitted to the 48th Regular Session of the UN Human Rights Council.

The 9th of July of this year 2021 marked ten years since the Republic gained its independence. Sadly, the people of South Sudan continue to suffer greatly from a civil war that broke out in 2013, which brought about serious human rights abuses. With a dysfunctional governmental structure, and a rise in opposition militias across the country to the detriment of civilian and all vulnerable groups in general. In a country with widespread famine, children are easily targeted to become child soldiers as they are in desperate need of food, support and security. The lack of access to education and medical care further deteriorates the situation. We welcome the country's ratification of all international humanitarian law treaties.

Given the unfortunate poverty situation nationwide, there is a constant need for aid workers, who themselves are risking their lives on the roads in non-governmental controlled areas. Humanitarian workers have faced multiple attacks in the past years, targeted mainly by militias in the equatorial region of the nation. In complete breach of the Geneva Conventions, there is an urgent need to facilitate access to aid, security and reinforce control on roads.

This written statement focuses on the situation of child soldiers since the beginning of the war and the various attacks on aid workers that have recently occurred. These serious human rights violations warrant the attention of the Human Rights Council. Furthermore, we underscore the rise in attacks since the September 2018 Peace Agreement, followed by a disorganized demilitarization of militias across the country.

Child Soldiers

Since the civil war broke in 2013, only two years after South Sudan was declared an independent state, children have been one of the most affected vulnerable groups. The use of child soldiers and minors in conflict is frequent among militias in armed-conflict. Cases of child soldiers used on the battlefield were even reported within the governmental forces. Ergo, more than 17,000 children have been recruited since the beginning of the war, while the practice continues to be exercised. The recruitment of child soldiers includes boys who are forced to hold weapons, but also girls, used as cooks, for sexual exploitation, and sometimes as fighters.

In April 2018, predatory tactics of abducting children and forcing them to bear arms were reported among the Sudan People's Liberation Army-in-Opposition SPLA-IO(RM) . By late 2018, around 18 children were abducted and forced to bear arms by National Salvation Front (NAS), a non-state actor in the conflict; a breach of the Convention on the Rights of the Child and Article 4 of the 2002 Optional Protocol on both sides of the war and the governmental peace agreement of September 2018. Despite the non-international status of the conflict, the state's duty under international law is still to "take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices."

Lack of access to education and protection in South Sudan are some of the main reasons for child recruitment by armed forces. More than two million children were reported to be out of school in 2018, which is essentially more than half of the children's population in the country. Withal, there is a significant lack of funding for already established ex-child soldiers' rehabilitation programs. Given the financial situation of the country, international actors need to play an economic role. Comprehensive and educational programs are put in place. Still, without the financial support, hundreds of children are left in limbo as a result, vulnerable to poverty and even famine. International institutions further fear re-recruitment, as children cannot find security and food when returning to their communities.

Improvements have been made by various international actors such as UNICEF with the demobilization of child soldiers. The use of children in the governmental armed forces has drastically decreased, but many of them continue to be enlisted; in 2021, the Secretary-General reported that 11 children were inhumanely treated and recruited by the South Sudanese Police, in breach of Articles 1 and 2 of the 2002 Optional Protocol.

With the release of 3,785 child soldiers since 2013, the reduction in their recruitment by the SPLA improvements become noticeable. However, the phenomenon still exists, especially in regions that are not government-controlled.

At last, it is critical to note that Covid-19 has also raised the risk of military recruitment of child soldiers by militias. Given the economic impact of the pandemic across the globe, the increase in poverty in Africa brings vulnerable groups to resort to desperate means.

Recommendations to the Human Rights Council:

- Conduct thorough investigation during clashes to ensure that no children are unlawfully killed or mistreated
- Conduct thorough investigation among the state's army and all governmental representative forces such as the police, for the use and general recruitment of child soldiers
- Create accountability mechanisms for all perpetrators responsible for the use of children in armed conflict
- Raise awareness among communities regarding the social adaptation of ex-child soldiers.

Attacks on Aid and Humanitarian Workers

There has been an exponential increase in the number of attacks against humanitarian and aid workers in South Sudan. Since the start of the civil war in 2013, more than 120 aid workers have been killed. In November 2020, three relief workers were killed while performing their duties. The reported incidents include the kidnappings, attacks and assaults against aid and humanitarian workers. Other incidents include lootings, attacks on health facilities, and the disruption of aid transportation.

The OCHA alone has documented the death of nine aid workers in 2020 whereas other international NGOs such as Safeguarding Health in Conflict Coalition (SHCC) documented the killings of 19 health workers in 2020. At least seven aid workers have been killed since the beginning of 2021, including one worker of Joint Aid Management who was shot while returning from his work, supporting vulnerable families near

Bentiu. On February 14, armed men assaulted a vehicle carrying a polio vaccination team and supplies from Rumbek Centre to Rumbek North, killing 10 people, including one health worker. In May, youth from Upper Nile entered an international NGO compound and physically attacked staff, seriously injuring one staff member. These incidents are among the numerous incidents of attacks on aid workers. The most recent was killed on June 7 while working for CUAMM (Doctors with Africa) on a mission in the Lakes States (Yirol).

The number of incidents and attacks that were reported and documented in 2020 have increased since 2019. Worse still, according to the reports and collected data information, approximately half of the attacks on aid workers are intentionally targeted. The perpetrators of these attacks are mainly non-state armed groups; however, a number of reported incidents were committed by the State's Military.

The NGO signatories to this statement urge the government of South Sudan to ensure that aid workers are effectively protected on roads while performing their duties. As providers of humanitarian assistance that is very much needed in South Sudan especially during armed conflict and increasing food insecurity. The attacks on aid workers must cease immediately. The international community must encourage South Sudan to properly investigate the killings of aid workers and implement accountability mechanisms for perpetrators. Additionally, this Human Rights Council and the international community must support South Sudan by any means with the necessary assistance to ensure safe and secure humanitarian aid.

Recommendations to the UN Human Rights Council:

- Mobilize the international community and all relevant UN bodies to reinforce and enhance security measures towards aid workers and aid operations in South Sudan
- Ensure the safety and security of aid transportation to remote areas and those who are most in need
- Provide the government of South Sudan the necessary means it needs to hold accountable perpetrators against humanitarian and aid workers as well as attackers against health/medical facilities to account.

Geneva International Centre for Justice (GICJ), Just Atonement Inc., The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organization for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.